

### **REMARKS/ARGUMENTS**

After the foregoing Amendment, claims 1, 3-16, and 20-21 are currently pending in this application. Claims 5-10 and 15-16 have been withdrawn. Claims 2 and 17-19 have been canceled. Claims 1, 4, 11, and 13 have been amended to recite that the system allows data to be delivered in at least three different modes, and recite steps of performed in each of the three modes. Claim 20 has been amended to recite a system having a plurality of data sources, including a link input having unpredictable data arrival times and a memory having predictable data arrival times. Claim 21 has been added to recite an apparatus for delivering data within a system in accordance with Fig. 1 and paragraphs [0010]-[0016].

No new matter has been introduced into the application by these amendments.

#### **Regarding Examiner's Response to Arguments**

With regard to paragraph 3 of the Office Action, it is applicants' understanding that the rejections based on *Sprangle* have been withdrawn.

With regard to the objections to the specification made in the previous Action, it is applicants' understanding that the objections have been withdrawn.

With regard to the 35 USC § 112 rejections of claims in the previous Action, it is applicants' understanding that the rejections have been withdrawn.

#### **Claim Rejections - 35 USC § 102 and 35 USC § 103**

Claims 1, 2, 4, 11-14, and 17-19 stand rejected under 35 USC § 102(a) as being allegedly anticipated by U.S. Patent Application Publication 2004/0258039 to *Stephens*. Claims 2 and 17-19 have been canceled, mooting the rejection as to those claims.

Claims 11-14 stand rejected under 35 SC § 102(a) as being allegedly anticipated by U.S. Patent Application Publication 2004/0090924 to *Giaimo*.

Claims 3 and 20 stand rejected under 35 USC § 103(a) as being unpatentable over *Stephens* (same as above) in view of .S. Patent Application Publication 2004/0085956 to *Moriarty*.

Independent claims 1, 4, 11, and 13 have been amended to recite delivering discrete data words from a data input to a data output of a system that allows data to be delivered in at least three different modes, and to recite steps performed in each of the three modes. None of the cited references, alone or in any possible combination, teaches or suggests a system that allows data to be delivered in at least three modes comprising the steps recited. Therefore, claims 1, 4, 11, and 13 are allowable over the cited references. Claim 3 depends from claim 1, claim 12 depends from claim 11, and claims 14 and 20 depend from claim 13. Therefore, without prejudice to their own individual merits, those claims are also deemed allowable.

Reconsideration and withdrawal of the rejections of claims 1, 3-4, 11-14, and 20 are respectfully requested.

### **Conclusion**

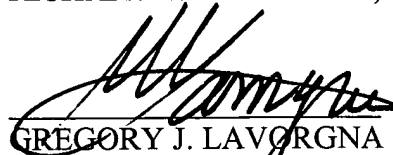
In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1, 3-4, 11-14, 20, and 21 is in condition for allowance and a notice of allowance is respectfully requested.

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Respectfully submitted,

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